

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MIKE MARRERO,

Defendant.

x

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x

INDICTMENT

08 Cr.

08 CRIM 154

COUNT ONE

The Grand Jury charges:

1. From in or about November 2007, up to and including on or about December 27, 2007, in the Southern District of New York and elsewhere, MIKE MARRERO, the defendant, and others known and unknown, unlawfully, intentionally and knowingly, did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MIKE MARRERO, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).

OVERT ACT

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about December 27, 2007, MIKE MARRERO, the defendant, accepted delivery of a crate containing cocaine at a warehouse in the Bronx.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about December 27, 2007, in the Southern District of New York, MIKE MARRERO, the defendant, unlawfully, intentionally, and knowingly, did distribute and possess with intent to distribute a controlled substance, to wit, 5 kilograms and more of a mixture and substance containing a detectable amount of cocaine.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A); Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

5. As a result of committing one or more of the controlled substance offenses alleged in Counts One and Two of this Indictment, MIKE MARRERO, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said

violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Indictment.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

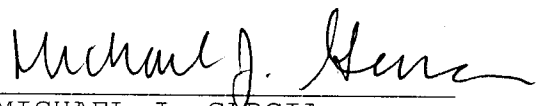
c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;
or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846, and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INDICTMENT

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(21 U.S.C. §§ 812, 841(a)(1), 841(b)(1)(A),
& 846; 18 U.S.C. § 2)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Robert Sloan
Foreperson.

*2/5/08 Filed Indictment. Case assigned to
Judge Pauley. S/ Maj. Judge Lutz*